RECEIVED
CENTRAL FAX CENTER

AUG 0 7 2006

REMARKS

Reconsideration of the above-identified application is respectfully requested.

Claims 1–4 have been rejected as anticipated by Giannopoulos et al.

Claim 1 recites "applying an amplitude-modulated control current to a discharge lamp." The Examiner asserts that "*Giannopoulos discloses ... applying an amplitude modulated control current (Figure 2, element 107; column 1, lines 54-55; wherein the current level corresponds to current amplitude) to a discharge lamp (Figure 1, element 25),*" The cited text is a sentence fragment and makes no sense. The paragraph from which the cited text was taken reads a follows.

> In accordance with a first aspect of the invention, a method for operating a ballast includes the steps of providing a sufficient starting voltage for ignition of a lamp load, adjusting the lamp load current to at least two different levels, measuring the lamp load voltage corresponding to each of the at least two different lamp load current levels, comparing the lamp load current and associated lamp load voltage for each of these at least two different levels to a plurality of lamp V-I characteristic curves, selecting the curve which best matches these at least two different levels, and operating the ballast based on the selected curve.

The paragraph discloses generating at least four data points.

Claim 1 recites "detecting the peak value of the lamp voltage at a rising edge of the envelope of the modulated control current." (1) One data point (2) is taken at the rising edge (3) of the modulated control current. There is not the remotest disclosure or suggestion of a single data point, of a rising edge, or of a modulated control current. How can there be anticipation?

Claim 1 recites "comparing the detected peak value with previously recorded peak values for different lamp types." The comparison is data point to data point. The quoted paragraph discloses comparing at least four data points with a plurality of curves. Curve fitting is not the same as comparing two numbers. How can there be anticipation?

The claimed invention uses different data in a different manner from the prior art. The Giannopoulos et al. patent does not remotely disclose or suggest the invention.

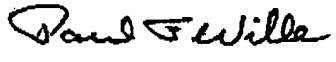
Claims 2, 3, and 4 distinguish over the prior art for the same reasons as claim 1. Also, there is no disclosure of a peak detector in the Giannopoulos et al. patent. Analog to digital converters are not inherently peak detectors. The Examiner alleges that a portion of the above-quoted paragraph discloses a peak detector. Obviously, the paragraph does not. To the contrary, the paragraph discloses "at least" two different levels. Such not only does not disclose peak detection, it teaches away from peak detection.

The Examiner asserts that there is peak detection because a "specific current" is measured "which is considered a current peak." Considered by whom, the Examiner or one of ordinary skill in the relevant art? It is disclosed throughout the Giannopulos et al. patent that the measurements are made during "steady state" operation. How does steady state become peak?

Claim 5 was rejected as unpatentable over Giannopulos et al. in view of Alexandrov. The Alexandrov publication relates to arc detection, not lamp recognition. There is no basis, other than applicant's claims, for the combination; *In re Rouffet*, 47 USPQ2d 1453, at 1457 (Fed. Cir. 1998). Claim 5 is patentable for the same reasons as claims 1–4.

In view of the foregoing remarks, it is respectfully submitted that claims 1–5 are in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,



Paul F. Wille
Reg. No. 25,274
Attorney for Applicant

Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, N.Y. 10510–8001
(914) 333–9634